

CITY OF MILFORD
REGULAR MEETING
MARCH 1, 2011
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 1st day of March 2011 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins. Also present: Brian Bashore, John Melena, Shane Huxall with Olsson Associates and Lana Rourke.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Bruha called the meeting to order at 7:32 pm. Mayor Bruha publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Library Meeting Room.

MINUTES: A motion was made by Fortune and seconded by Kral to approve the minutes of the February 1, 2011 meeting. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Kral and seconded by Heckman that the following bills in the amount of \$44,655.12 and payroll in the amount of \$27,458.40 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

51020	Mark Frey	1457.65
51021	Forrest K Siebken	1332.71
51022	Mavis Lynn Ferris	87.22
51023	Jeanne M Hoggins	1361.88
51024	Gary Lee TeSelle	846.74
51025	Robert L Hull	1080.56

51026	Beverly J Wehrs	494.99
51027	David R Dahle	1082.83
51028	George A Matzen	539.82
51029	Tracy L Yeackley	612.97
51030	Benjamin L Rediger	957.75
51031	Craig A Corder	1162.73
51032	Deondra J Lashley	281.83
51033	Shawna M Fredericksen	112.88
51034	Aaron M Hostetler	83.79
51035	Jason Meyer	888.26
51036	Melissa Kepler	180.45
51085	Mark Frey	1457.65
51086	Forrest Siebken	2721.50
51087	Mavis Ferris	68.40
51088	Jeanne M Hoggins	1336.47
51089	Gary TeSelle	839.97
51090	Robert Hull	892.93
51091	Beverly Wehrs	546.97
51092	David Dahle	1114.57
51093	George Matzen	664.43
51094	Tracy Yeackley	752.09
51095	Benjamin Rediger	893.41
51096	Craig Corder	1134.80
51097	Deondra Lashley	298.61
51098	Shawna Fredericksen	155.62
51099	Aaron Hostetler	73.54
51100	Jason Meyer	888.26
51101	Melissa Kepler	299.34
51104	Ricky Gene Fortune	141.52
51105	Dean Alan Bruha	188.70
51106	Jeffrey M Baker	141.52
51107	Jeff Lee Heckman	141.52
51108	Dan V Kral	141.52
GENERAL FUND:		
51016	U.S. Postmaster – Utility Billing Postage	169.79
51017	Mike Adams – WA/SW Deposit Refund	24.07
51018	Raymond Cain – WA/SW Deposit Refund	32.40
51019	Andrew Lemmer – WA/SW Deposit Refund	45.71
51037	Ameritas Group – Retirement	1,560.95
51038	Union Bank – HSA Account	2,913.00
51039	Alamar Uniforms – Uniforms Shirts, Pants	84.70

51040	Amer. Building Inspectors – Inspect & Month Fee	1100.00
51041	Ameritas Group – Dental & Vision	897.00
51042	Aramark Uniform Services – Pants & Rags	361.01
51043	Beverly Wehrs – New Tableclothes	25.30
51044	MSC 50503 – Service for Jan.	2039.66
51045	CBS-Reporting Services – Membership Fee	60.00
51046	Craig Bontrager – Bball Clinic	60.00
51047	Culligan Water Conditioning – Soft Water	21.00
51048	Deep Rock – Drinking Water	38.00
51049	Diode Communications – Jan. Service	54.16
51050	Eakes Office Plus – Paper, Ink, Binders	215.62
51051	Farmers Cooperative – Diesel, Balance Tires, Bolts	1040.75
51052	Great America Leasing Corp. – Meter Rent	80.00
51053	Holiday Inn – Room for Meeting	71.00
51054	IACP - Membership	120.00
51055	JR Welding – Materials & Labor	86.50
51056	Kremer Electric – Flashing Fixtures Hwy 6	421.35
51057	Law Enforcement Associates – Shipping Costs	20.00
51058	MARC - Gloves	54.59
51059	Matt Friend Truck Equip. – Cylinder, Bumper Stop	350.50
51060	Milford Flowers & Gifts – Treats Valentines Day	9.98
51061	Milford Plumbing Inc. – Repair Bath Stool	167.00
51062	Milford Supermarket – Dog Food, Food	54.50
51063	Mrs. Wayne Roth – Birthday Cake	20.00
51064	Mutual of Omaha Co. - Disability	30.24
51065	NE Motor Parts Co. – Repair, Steering Fluid, Wipers	96.88
51066	NPPD – Jan. Service	5703.65
51067	OMB Guns – Ammunition for Training	347.99
51068	Pizza Kitchen – Catered Meals	260.90
51069	Reeves – Name Tags for 44	22.35
51070	Roxanne Roth – Cleaning Svcs.	50.00
51071	Seward Co. PPD – Wells 1 & 2	623.50
51072	Seward Co. Independent – Subs, Notices, Pool Ad	183.27
51073	Shell Fleet Plus – Fuel ‘08 Truck	115.24
51074	Shell Fleet Plus – Car Gas	41.14
51075	St. Paul Stamp Works – Golf Cart Lic.	106.63
51076	Subway Motors Co. – Light for Pick Up	54.00
51077	Sunrise Country Manor – Jan. Meals	712.50
51078	The Garbage Co. – Jan. Service	132.74
51079	Verizon Wireless - Cellular	102.79
51080	Windstream NE Inc. – Phone, Internet Svc.	680.83

51081	AFLAC – Dis, Cancer, Acc, Suppl	463.96
51082	Coventry Health Care of NE – Health Ins.	6060.81
51083	Fort Dearborn Life Insurance – Life Ins.	113.52
51084	University of NE at Omaha – Clerk School	400.00
51103	Union Bank - HSA	575.00
51102	Ameritas Group - Pension	1560.95
51109	Baker & Taylor – Books	596.04
51110	Beverly Wehrs – Food, Supplies	29.09
51111	Blevens Law Office	350.00
51112	D&D Communications – Labor, Charges, Pagets	4959.36
51113	DEMCO Inc. – Book Covers	205.62
51114	DHHS – Pool Permit	40.00
51115	Earl Carter Lumber – Motor, Repair Garage Door	281.98
51116	EMP – C Collars, Shipping	102.80
51117	Gale – Books	49.83
51118	George Matzen – Movie	3.87
51119	Great America Leasing – Meter Rent	80.00
51120	Heartsong Presents – Books	12.99
51121	Heiman Inc. – Rubber Boots, Hoods	299.57
51122	IKON Office – Meter Rent	205.00
51123	Image Trend – Support & 2 Licenses	500.00
51124	InsureNebraska – Secretary Bond	175.00
51125	Matheson Tri-Gas – Oxygen Compressed Air	293.13
51126	Memorial Hlth Cr – Flu Shot	25.00
51127	Milford A/C & App – Furnace Maint.	174.00
51128	Milford School Dist. 5 – Parking Fines	40.00
51129	Milford Valu Rite – Thermometer, Probe Covers	63.98
51130	Milford Fire & Resc – Batteries	122.76
51131	NE Public Health – Filter, Arsenic, Nitrate	88.00
51132	Office Depot – Battery	134.99
51133	Roxanne Roth – Cleaning Svcs.	50.00
51134	Seward Co. Court – Court Fees	17.00
51135	Shell Fleet Plus – Jan. Fuel	711.32
51136	TooFast Supply – Grinding Wheel, Hose Clamp	99.96
51137	Union Bank – Gary TeSelle, Medicare Part D	431.50
51138	Verizon Wireless – Cell Phones	90.48
51139	Verizon Wireless – Air Card Mobile Data	516.12
51140	Verizon Wireless – Well Control Monitor	43.05
51141	Walmart – Labels, Ink, Alarm	91.32
51142	WatchGuard Video – Wireless Microphone	68.00
51143	Windstream – Phone, Internet, Long Dist	311.29

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Housing Authority minutes for February 17, 2011; Pool Board minutes for February 15, 2011; Planning & Zoning minutes for February 9, 2011; Library Board minutes for January 20, 2011 and February 17, 2011; Milford Fire Dept. minutes for December 14, 2010; Police Dept. activity report for February 2011; Milford Rescue NARSIS report for February 2011. Fortune – Well #1 has been pulled and inspected. Frey reported that it is not as bad as they thought it might be. All wells have been pulled and inspected over the last 5 years. Nitrate levels in well 1 & 2 are about the same. Frey was approached by U.S. Cellular to install an antenna on the water tower. They would pay a \$350.00 per month fee, which is additional income to the City. Frey has some structural concerns that will need to be addressed. The Council would like to see a proposal from U.S. Cellular. Chief Siebken – Officer Meyer is patrolling some what on his own. He has been working with Office Corder and Chief Siebken and is doing well. Chief Siebken has also received a Panasonic Tough Book CF30 laptop computer used for mobile data thru a PSIC Grant. Free Air Cards were received thru September. Fire Chief John Melena reviewed the Fire report for January and February 2011. There were 13 firefighters that attended a house burn for training on Saturday. Baker – Frey fixed the elevator at the Sr. Center, it passed inspection by the State and then broke again. LB383 has progressed to the final reading which involves loss of State Aid to the City of Milford of approx. \$30,000.00.

COMMUNICATIONS: *Sales tax received for the month of December 2010 in the amount of \$16,059.72. *NPPD 4th Quarter Lease Agreement Payment received in the amount of \$35,568.23. *Public funding workshop will be hosted by Kirkham Michael from 9:30 to 3:30 March 10th and 11th.

PUBLIC HEARING – Request for Conditional Use Permit @ Park Ave. and Hwy 6: Mayor Bruha opened the Public Hearing at 7:49 pm and explained that the request for a conditional use permit was for the property across Hwy 6 from Sheri's Grill & Bar. Planning & Zoning has met with the new property owner and they have answered all questions regarding the use of the property. P & Z has voted to approve the Conditional Use Permit. This permit only applies to the new property owner making the request. If the property is sold it reverts back to the zoning permitted uses. With no further questions Mayor Bruha closed the public hearing at 7:51 pm.

UNFINISHED BUSINESS:

Introduction and Adoption of Ordinance – Engine Brake Noise: Attorney Blevens presented an ordinance for discussion. Chief Siebken noted that only 1 resident has complained about the problem and if the officer is sitting in the area the trucks are not going to utilize this braking

method. If they do hear the trucks, by the time they get to them they are out of town. Fortune questioned how far out of town the signs can be posted. Chief Siebken noted that unless you get permission from the Dept. of Roads it must be posted at the city limits. This is an ordinance that probably will not create many citations but posting the sign may eliminate the use of engine braking in the community. Chief Siebken noted it may be a good idea to check with the State Dept. of Roads to see if the signs could be posted outside the corporate limits. The following ordinance was introduced by Council member Heckman:

ORDINANCE NO. 839

AN ORDINANCE TO PROHIBIT THE USE OR OPERATION OF ENGINE AND/OR EXHAUST BRAKES WITHIN THE CITY OF MILFORD, NEBRASKA, OR WITHIN A ONE MILE RADIUS THEREOF; PROVIDING A PENALTY FOR VIOLATION OF HEREOF; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Lifeguard Certification Reimbursement: Council member Heckman researched Crete and Seward and both communities pay for the guard certifications. Seward has staff to certify guards and Crete reimburses the lifeguards after they complete the course. Discussion was held regarding amount of reimbursement and for how many years. A motion was made by Heckman and seconded by Kral to reimburse all guards \$50.00 a year for each successful season at the completion of each season up to 3 years or unless they become recertified. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

NEW BUSINESS:

Authorize Conditional Use Permit @ Park Ave. & Hwy 6: A motion was made by Fortune and seconded by Baker to approve the request for a Conditional Use Permit for Dan Pickerill at Park Ave. and Hwy 6. Roll call vote: Fortune yes, Baker yes, Heckman yes, Kral yes. Motion carried.

Introduction and Adoption of Ordinance – Amend Ordinance #798, Building Application Fees: Hoggins researched and compared the permit cost against the inspection cost and appears the only shortfall are the smaller projects where minimum fees are paid of \$30.00 and inspection costs are at a minimum of \$40.00. New construction application fees are based on square footage of the home and typically the inspection costs are lower than the application costs. It was suggested to change the minimum cost to \$40.00 on items 1. Plumbing Permit and Mechanical Permit; items 2 & 3; and \$50.00 re-inspection fee of item 7 of current ordinance #798. A motion was made by Kral and seconded by Baker to have Attorney Blevens draw up an

amended ordinance for next months meeting. Roll call vote: Kral yes, Baker yes, Fortune yes, Heckman yes. Motion carried.

Approve Additional City Credit Cards: Council member Kral requested credit cards for Fire Chief John Melena and Fire Dept. Secretary/Treasurer Marcy Hostetler as they are responsible for purchasing supplies and registration of Fire and Rescue school/training. It would simplify the billing system as they are currently writing checks and then reimbursed by the City. A motion was made by Kral and seconded by Heckman to authorize credit cards to John Melena and Marcy Hostetler for Fire Dept. use. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

Pool Project Plans – Shane Huxall, Olsson Associates: Council member Heckman asked Shane to give the Council a presentation on plans/cost for the pool improvement project. Conceptual drawings and cost estimates are attached to these minutes. Further discussion was held about the project with no action taken.

Appointments/Reappointments: A motion was made by Kral and seconded by Baker to approve the Mayor's recommendation to reappoint Kevin Wingard and Teresa TeSelle to the Planning and Zoning Commission for 3 year terms, expiring 2014. Roll call vote: Kral yes, Baker yes, Fortune yes, Heckman yes. Motion carried.

A motion was made by Fortune and seconded by Kral to approve the Mayor's recommendation to reappoint Bill Lauber to the Cemetery Board for a 3 year term. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried.

Fire Station Roof: Council member Kral presented 3 bids to repair the Fire Station roof. Bids from Conner Roofing and JRS Roofing were based on removing the existing roof and replacing it with insulation and 60 mil EPDM roofing product. Conner Roofing bid - \$29,900.00, JRS Roofing bid - \$28,875.00. Weathercraft Co. bid the project with a Firestone 60 mil adhered rubberguard membrane. Weathercraft bid - \$28,829.00. Warranties were presented by all. Kral asked Fire Chief Melena for his recommendation. Melena recommended Weathercraft Co. and noted the Fire & Equipment Sinking Fund has \$64,000.00 which could be borrowed to pay for the roof with the intention of replacing the funds next year. A motion was made by Kral and seconded by Fortune to approve the bid of Weathercraft Co. in the amount of \$28,829.00 for repair of the Fire Station roof. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

City Administrator Position: Council member Kral voiced his concern with the reduction of revenue and finding ways to bring in new revenue sources. In visiting with other communities who have people with a specific

mission to develop funding sources and double check expenditures they strongly urge a city administrator. Kral has mixed feelings about the position and would like the Council's input. Discussions held in the past reflect a concern on how to fund a position like this and Kral invited Brian Bashore to the meeting as he is local, runs his own business and is interested in doing some of this work for the city. He is use to living on commission and being paid for production. Kral thinks it would be a good time to look at what a City Administrator does, see if the City wants all or some of the duties assigned, find a spot to fund a reasonable amount and try it for a period of time. Mayor Bruha noted that all of the Council have full time jobs and can only give their jobs as council members a certain amount of time. It would benefit the community to have someone to go after Economic Development and research available grant money. Fortune is not interested in a full blown City Administrator. If you are just looking for someone to write grants then you don't need an administrator. Finding revenue to do projects that are of interest to the City is a great idea as long as you have the 25% – 50% match that is usually required. Grants can be written by SENDD, County or Engineers but that doesn't guarantee that you will be awarded the grant. Last years budget involved a lot of cuts to maintain the levy and Blevens questioned what other cuts would have to be made in order to fulfill a \$50,000 – \$70,000 position. Seward County Economic Development Director Lana Rourke questioned the title of City Administrator. She suggested a needs assessment of the City whether it be commercial properties, infrastructure, residential property etc...and find someone to develop a visionary plan to address these needs. It may be beneficial to have someone own this type of project to do the research that is required. After much discussion the Mayor suggested the Council decide whether this is something they wish to pursue or not.

Employee Performance Appraisals: Council member Heckman noted that the City of Milford does not have employee appraisals. They are tools for promotions or demotions. They also encourage the employees to set performance goals and this can be documented for future needs. Mayor Bruha noted that S.C.C. does evaluations 5 times a year; 4 by students and 1 time by his supervisor. He thinks they are important to do. Baker suggested that once a year is good enough. Fortune commented that they are worthless. Heckman mentioned it was a good tool for the employees to buy into goals. Discussion was held regarding different evaluation formats and it was suggested that the documents are made available for next months meeting for review.

Cost reduction ideas/implementation – City Dept. Heads: No discussion held on this agenda item.

ADJOURNMENT: A motion was made by Kral and seconded by Fortune to adjourn the meeting. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried and meeting adjourned at 10:02 pm.

Jeanne Hoggins, City Clerk

Dean A. Bruha, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on March 1, 2011 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk